

## PRIVACY NOTICE

The General Data Protection Regulation (GDPR) is a regulation in EU law on data protection and privacy for all individuals within the European Union. It addresses the export of personal data outside the EU. The GDPR aims primarily to give control to citizens and residents over their personal data and to simplify the regulatory environment for international business by unifying the regulation within the EU.

When the GDPR takes effect, it will replace the 1995 Data Protection Directive.

It was adopted on 27 April 2016 and becomes enforceable from 25 May 2018.

### **The categories of pupil information that we collect, hold and share include:**

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Family Circumstances (court orders, criminal petitions, safeguarding information, any information which might affect your child's welfare or happiness)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Medical Information (such as long term medication, conditions, allergies etc)
- Special Educational Needs information
- Behaviour Logs (Merit awards, bad behaviour, exclusions)
- Assessment information (targets, results)
- School History (details of previous schools attended)
- We use CCTV to make sure the school site is safe. CCTV is not used in private areas such as toilets.
- Photographs (of school events, to use on social media, the school website and promotional materials)
- We use a 3rd party application called SQUID to process monies for trips, school lunches and snacks. SQUID uses information directly from our database including child's name, class and Unique Pupil Number (UPN) and the payment details that parents enter.
- We use tools such as Google Classroom, IXL and Timetable Rockstars for the purpose of education. We ensure that they are GDPR compliant or that any information is appropriately anonymised, that the data shared is to facilitate education and that no sensitive data is shared. Copies of these companies' privacy notices/data sharing agreements are available upon request.

### **Why we collect and use this information**

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

## **The lawful basis on which we use this information**

We collect and use pupil information under Article 6 of the GDPR for a Public task. This means the processing is necessary for the school to perform a task in the public interest or for official functions, and the task or function has a clear basis in law.

We also process special category data (such as race, ethnic origin and religion) under Article 9 of the GDPR. This is done only with explicit consent to the processing of this personal data for one or more specified purposes.

### **Legitimate interests**

This means that the processing is necessary for legitimate interests except where the processing is unfair to you. The School relies on legitimate interests for most of the ways in which it uses your information.

Specifically, the School has a legitimate interest in:

- Providing educational services to your child;
- Safeguarding and promoting the welfare of your child (and other children);
- Promoting the objects and interests of the School. This includes fundraising. It also includes making sure that we are able to enforce our rights against you, for example, so that we can contact you if unpaid fees are due;
- Facilitating the efficient operation of the School; and
- Ensuring that all relevant legal obligations of the School are complied with.

In addition your personal information may be processed for the legitimate interests of others. For example another school will have a legitimate interest in knowing if you have not paid School fees that are due to us.

If you object to us using your information where we are relying on our legitimate interests as explained above please speak to the Deputy Head Teacher.

### **Necessary for a contract**

We will need to use your information in order to perform our obligations under our contract with you. For example, we need your name and contact details so that we can update you on your child's progress and so that we can contact you if there is a concern.

### **Legal obligation**

Where the School needs to use your information in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

### **Vital interests**

For example, to prevent someone from being seriously harmed or killed.

### **Public interest**

The School considers that it is acting in the public interest when providing education.

### **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

## **Storing pupil data**

We hold pupil data for 9 years. Safeguarding information will be held until the subject reaches 25 years of age and will be the responsibility of the current school/educational establishment. We are required by law to pass any safeguarding information on to any future educational establishment (eg, child changes middle school, moves onto upper school).

## **Who we share pupil information with**

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority (Central Bedfordshire Council)
- the Department for Education (DfE)
- Youth Support Services
- Children's services
- Police

## **Why we share pupil information**

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

Once aged 13 or over, we are required by law to pass on certain information to the provider of youth support services in your area. This is the local authority support service for young people aged 13 to 19 in England. We must provide the names and addresses of the pupils and their parents (including the pupil's date of birth) and any further information relevant to the support services' role.

We are required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## **Data collection requirements:**

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## **The National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

## **Requesting access to your personal data**

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the school office.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

**Henlow Church of England Academy**

**Church Road**

**Henlow**

**Bedfordshire**

**SG16 6AN**

**E: [info@henlowacademy.org.uk](mailto:info@henlowacademy.org.uk)**

**T: 01462 813733**

## Declaration

I, \_\_\_\_\_, declare that I understand:

Henlow Church of England Academy has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements.

- How my data is used.
- Henlow Church of England Academy may share my data with the DfE, and subsequently the LA.
- Henlow Church of England Academy will not share my data to any other third parties without my consent, unless the law requires the school to do so.
- Henlow Church of England Academy will always ask for explicit consent where this is required, and I must provide this consent if I agree to the data being processed. My data is retained in line with the school's GDPR Data Protection Policy.
- My rights to the processing of my personal data.
- Where I can find out more information about the processing of my personal data.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_